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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,443	12/09/2004	Yusuke Shimizu	05905-0179	8650
22852	7590	09/25/2007	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			WONG, JEFFREY KEITH	
		ART UNIT	PAPER NUMBER	
		3714		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/517,443	SHIMIZU ET AL.
Examiner	Art Unit	
Jeffrey K. Wong	3719	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 July 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 11, 12 and 16-22 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 11, 12 and 16-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09 December 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/2/2007</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 18 and 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Benoy (US Patent 6,896,618).

In regards to claim 18, Benoy teaches of a game system comprising a game machine and a server device connected to the game machine via a network in which a player plays a game such as a typical casino game which involves paying a play fee (1: 20-34). The player tracking unit on the game machine comprises a terminal device in which a player inputs a character message and identification information for identifying a player (10: 60-68) and the information is transmitted to the server device via communication means (11: 8-36). The game machine further includes means for reading, via an interface, identification information for identifying a player recorded on an external memory medium and communication means for transmitting the identification information read by the reading means to the server device (10: 38-59). The server device comprises data management means for registering the character

message and the identification information transmitted from the terminal device in association with each other in a database and searching the database based on the identification information received from the game machine and communication means for transmitting a character message associated with the identification information specified by the search to identify the player (16:46-67 to 17: 1-5).

In regards to claim 20, the game system of Benoy includes memory means for storing and recording a plurality of game programs and game processing means for reading a specific game program that is selected on a condition of satisfying a prescribed requirement from among the programs stored in the memory means, and executing the programs in response to an input signal from an input means (3: 14-40). The gaming system also includes display means for displaying an image of the game and also to display accumulated points in the form of player tracking points or credit points (6: 50-68).

In regards to claim 21, the game system of Benoy includes memory means for storing and recording a plurality of game programs and game processing means for reading a specific game program that is selected on a condition of satisfying a prescribed requirement from among the programs stored in the memory means, and executing the programs in response to an input signal from an input means (3: 14-40). The gaming system also includes display means for displaying an image of the game and also to display the character message in response to an input signal from the input means, where the character message is the identification data of the player (6:50-68 and 11: 14-18).

In regards to claim 22, Benoy teaches of a game system comprising a game machine and a server device connected to the game machine via a network in which a player plays a game such as a typical casino game which involves paying a play fee (1: 20-34). The player tracking unit on the game machine comprises a terminal device in which a player inputs a character message and identification information for identifying a player (10: 60-68) and the information is transmitted to the server device via communication means (11: 8-36). The game machine further includes means for reading, via an interface, identification information for identifying a player recorded on an external memory medium and communication means for transmitting the identification information read by the reading means to the server device (10: 38-59). The server device comprises data management means for registering the character message and the identification information transmitted from the terminal device in association with each other in a database and searching the database based on the identification information received from the game machine and communication means for transmitting a character message associated with the identification information specified by the search to identify the player (16:46-67 to 17: 1-5). The arcade game machine receives, using the communication means, the character message transmitted from the server device, and the game processing means executes game processing and makes the display means display the received character message at a time predetermined by the program (6: 50-67).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy.

The game system of Benoy includes memory means for storing and recording a plurality of game programs and game processing means for reading a specific game program that is selected on a condition of satisfying a prescribed requirement from among the programs stored in the memory means, and executing the programs in response to an input signal from an input means (3: 14-40). If the result of the player's game play is a preset special game result, such as well known in the art, invoking a special prize as Benoy teaches (11: 23-48), it is obvious to one skilled in the art that display means can display information received in the character message such as player identification in the awarding of the prize or the prize redemption characteristics.

Claim 11, 16, 17, 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy and further in view of Hedges et al. (US Patent 4,339,798).

In regards to claim 11, Benoy teaches of a game system comprising a game machine and a server device connected to the game machine via a network, wherein the game machine comprises an external interface configured such that an external memory medium is detachably attached thereto (3: 1-13). The game system includes an ID generating means for generating an ID for uniquely identifying an external memory

medium attached to the external interface (3: 3-8). The gaming system further includes means for generating an access code corresponding to the ID (16: 10-45), where the access code corresponds to a signature or biometric information of the player and is visually identifiable to the game player. It would be obvious to one skilled in the art that such access code information such as a photo ID or a signature of the game player could be printed on the external memory medium to further identify the player after the access code is generated. The gaming machine establishes a connection with the server device via a network and the server device comprises data management for managing the ID and access code in association with one another, authenticating the game player in accordance with the access code, and upon authentication of the game player, providing the game player with a network service (10:60-67 and 11: 1-7).

Benoy does not explicitly teach of recording the generated ID in a magnetic data recording area provided in the external memory medium but instead teaches of transferring the ID to a network server. Hedges teaches of a gaming system that establishes player accounts for a credit system (8: 7-29). In the system of Hedges, a identification number is established for a player which is then recorded on a magnetic card. It would be obvious for one skilled in the art to incorporate the teachings of Hedges into the system of Benoy to incorporate recording the new generated identification number produced by the system of Benoy into the magnetic card to introduce a new identification parameter. This would eliminate the need to search for all data on the server as the data will be automatically presented on the magnetic card.

This in turn would speed up the process of retrieving player account information and increase turn around times on gaming machines.

In regards to claim 16, the game system comprises image display means for displaying an image (3: 14-30). The server device comprises a database (5: 53-65). The data management authenticates the game player in accordance with the access code entered from a terminal device connected to the server device via a network, and upon authentication of the game player, stores a character message entered from the terminal device in the database, and also sends the character message to the game machine when the game player plays a game at the game machine, and the game machine displays the character message received from the server device on the image display (27: 17-46).

In regards to claim 17, the external medium stores a portion of information to be used for game processing and the server device stores information to be used for game processing and Wherein the game machine, if connectable with the server device via a network, obtains all the information to be used for game processing from the server device to perform game processing (5:53-67 and 6:1-19).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy et al. in view Hedges and further in view of Beach et al. (US Patent 6,116,402).

Benoy in view of Hedges teach of using a serial number read from a program server such as the game system server or the game machine to encode a magnetic card with loyalty program registration information. While Benoy in view of Hedges does

not explicitly teach of using time information as part of the serial number, Benoy does teach of using time information for various functions on the gaming machine (11: 8.-20). Beach, however, teaches of a system that encodes vouchers that are in the form of magnetic cards with time and machine location information (9: 20-27). Beach discusses that the reason to do this is for security purposes and to be able to encode a large number of unique information cards. It would be obvious for one skilled in the art at the time the invention was made to have modified the teachings of Benoy in view of Hedges and incorporate the teachings of Beach to allow the tracking of timing as Benoy teaches to be used to define the serial numbers used to encode the player identification cards so that a large number of unique ranges of card information could be encoded in the system.

Response to Arguments

Applicant's arguments filed 7/3/2007 have been fully considered but they are not persuasive.

Applicant alleges that:

A) Benoy fails to teach or suggest Applicants' claimed terminal device comprising "operation means with which a player inputs a character message and identification information for identifying a player" and "communication means for transmitting the character message and the identification information to the server device" as recited in claim 18

B) Benoy fails to teach or suggest Applicants' claimed server device comprising "data management means for registering the character message and the identification information transmitted from the terminal device in association with each other in a database, and searching the database based on the identification information received from the arcade game machine" and "communication means for transmitting a character message associated with the identification information specified by the search conducted by the data management means to the arcade game machine"

C) Benoy fails to teach entering the "identification code" at the terminal device as required by claim 18.

D) Benoy fails to teach or suggest Applicants' claimed arcade game machine "wherein the game processing means...makes the display means display the received character message if the result of a player's game play is a preset special game result".

E) Neither Benoy nor Hedges do not teach or suggest Applicant's claimed game system comprising "ID generating means for generating an ID for uniquely identifying an external medium" "means for generating an access code corresponding to the ID and visually identifiable to a game player" and "data management means for managing the ID and the access code in association with one another" as recited in claim 11.

F) Benoy fails to teach or suggest an "ID generating means for generating an ID for uniquely identifying an external memory medium" or an "ID recording means for recording the generated ID in a magnetic data recording area provided in the external memory medium" as recited in claim 11.

G) Benoy fails to teach or suggest Applicants' claimed ID generating means for generating an ID for uniquely identifying an external memory medium or means for generating an access code corresponding to the ID and visually identifiable to a player.

H) Beach fails to teach or suggest generating an access code. Nor does Beach teach or suggest a data management means for managing an ID and an access code in association with one another, authenticating the game player in providing the game player with a network service, as required by claim 11.

I) Benoy fails to teach or suggest of printing the signature and other biometric information in a printing area of a loyalty program instrument.

J) Benoy fails to teach or suggest that there is 'tracking of timing' or that timing information is used to define serial number.

Concerning A) Benoy does teach "operation means with which a player inputs a character message and identification information for identifying a player" and "communication means for transmitting the character message and the identification information to the server device" as recited in claim 18. It should also be noted that where Applicants' allege that neither Beach nor Hedges seem to disclose such a limitation, Benoy covers such limitations.

The Abstract discloses of an operation means with which a player inputs information for identifying the player. It is also mentioned in the Abstract how such information can be sent to a server for confirmation. Thus, while Benoy does not disclose of a 'terminal', a

gaming machine in which a player can input information where said information can be transmitted to a server can easily be viewed as a 'terminal'.

Concerning B) Benoy does teach of such data managing means. In Col 3, lines 48-51, Benoy discloses of how information can be selected from a variety of groups such as names, addresses, and combination thereof. One can clearly tell that data managing means is required to enable the gaming system to select from such a variety of data. The communication means is also disclosed since it is disclosed in the Abstract that such information is confirmed before a player is allowed to play at a gaming station. Therefore, the communication means is viewed as the communications between the gaming station and the gaming server. It should also be noted that where Applicants' allege that neither Beach nor Hedges seem to disclose such a limitation, Benoy covers such limitations.

Concerning C) Benoy does disclose of an identification code and character message at the terminal device. The Abstract discloses of how players can enter identification information where such information is transmitted to a server and confirmed and the player may begin a loyalty program session on a gaming machine and earn loyalty points. An identification code and character message can be viewed as the same since both are means of conveying the identity of a player. In the instance where the Applicants feel that an identification code and character message are not the same, something such as a password and an address can be viewed as an identification code and character message respectively. It should also be noted that where Applicants'

allege that neither Beach nor Hedges seem to disclose such a limitation, Benoy covers such limitations.

Concerning D) Benoy does disclose wherein the game processing means...makes the display means display the received character message if the result of a player's game play is a preset special game result. In Col 4, line 65 to Col 5, line15, Benoy discloses of an embodiment that can display registration information on a touch screen. The preset special game result can be displayed as well as disclosed in Col 11, lines 23-48.

Concerning E) and G) and H) Benoy does teach of ID generating means for uniquely identifying an external medium. In Col 32, lines 39-40, Benoy discloses of how information can be obtained from the loyalty program instrument. The process of obtaining and generating such information can be viewed as the same. When information is obtained from the loyalty program instrument, the information read can be considered as having been generated within the gaming system where such information is sent to the gaming server as a means of confirming the player in order to being the loyalty program session and enable players the ability to accumulate loyalty points.

Furthermore, Benoy also disclose of means for generating an access code in Col 14, lines 34-36, where a PIN number can be used to input account information. A PIN number can be easily viewed as an access code in this instance. It should also be noted that where Applicants' allege that neither Beach nor Hedges seem to disclose such a limitation, Benoy covers such limitations.

Concerning I) Benoy discloses of printing temporary user IDs that can be used as temporary cards and how such cards may use a bar-code to represent the player's

loyalty program account information in Col 18, lines 44-59. The printed bar-code can be easily viewed as addressing the access code limitation of claim 11.

Concerning J)Benoy discloses of temporary user IDs in Col 18, lines 44,-49. Temporary IDs are generally short term and usually time-based, working only for a temporary period of time. In this case, the temporary ID can be viewed as a basis of time information and information unique to the game machine.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

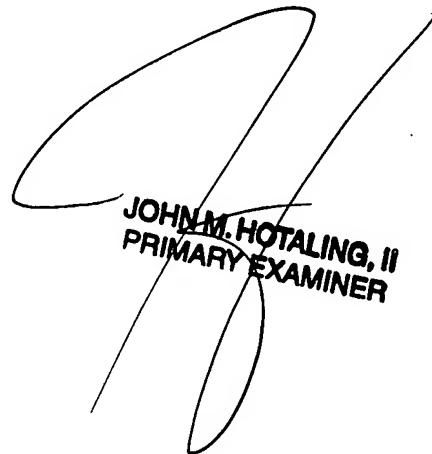
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey K. Wong whose telephone number is (571)270-3003. The examiner can normally be reached on M-Th 8:30am-7:00pm.

Art Unit: 3719

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKW



JOHN M. HOTALING, II
PRIMARY EXAMINER